

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

IN RE:

ROBERTS LAND & TIMBER
INVESTMENT CORP.,

Case No. 3:11-bk-03851-PMG
and Case No. 3:11-bk-03853-PMG

Debtor,

and

Jointly Administered Under
Case No. 3:11-bk-03851-PMG

UNION LAND & TIMBER CORP.,

Chapter 11 Debtors.

**DEBTORS' FIRST SET OF INTERROGATORIES
PROPOUNDED TO FARM CREDIT OF FLORIDA, ACA**

The Debtors, Roberts Land & Timber Investment Corp. and Union Land & Timber Corp., pursuant to Rules 7026, 7033 and 9014, Federal Rules of Bankruptcy Procedure, hereby propounds the following interrogatories to the Creditor, Farm Credit of Florida, ACA (Farm Credit") to be answered under oath within thirty (30) days of service hereof.

I. DEFINITIONS

A. As used herein, "you" or "your" or "Farm Credit" means Farm Credit of Florida, ACA.

B. As used herein, "Debtors" means Roberts Land & Timber Investment Corp. and Union Land & Timber Corp.

C. As used herein, "document" means, without limitation, the original and all non-identical copies of any written electronic or graphic matter or other means of preserving information,

thought or expression and all tangible things in which information can be processed or transcribed, whether typed, handwritten, printed, photocopied, recorded on audio tape or video tape, filmed, photographed, microfilmed, saved by computer or computer disk or otherwise produced, reproduced or stored, including, without limitation, notes, e-mails, memoranda, transcripts, minutes, correspondence, telexes, telefaxes, circulars, releases, publications, articles, books, reports, prospectuses, records, financial statements, computer disks, computer tapes, computer runs, microfilms, microfiche, videotapes, ticker tapes, audio tapes, indexes, lists, summaries, compilations, matrixes, files, charts, graphs, posters, analyses, money orders, checks, drafts, financial documents, commercial paper, securities, account-books, diaries, calendars, journals, agreements, contracts, orders, insurance policies, charts, business records and any other tangible things.

D. To “identify a document” shall mean to state with respect thereto:

1. The identity of the person who prepared it;
2. The identity of the person who signed it or in whose name it was issued;
3. The identity of each person to whom it was addressed or distributed;
4. The nature or substance of the document with sufficient particularity to enable it to be identified;
5. Its date, and if it bears no date, the date when it was prepared; and
6. The physical location of the document and the custodian or custodians thereof.

E. The term “person” means any individual, corporation, partnership, joint venture, group, association, body politic, government agency, unit or other organization.

F. To “identify a person” with reference to a natural person, means to give his name, his

last known address, and if employed, the name and address of his employer and his job title or position. To identify a person who is not a natural person, means to state the name and principal office of such person.

D. The term “communication” means any conversation, discussion, meeting, conference, negotiation, exchange of information, or other form of communication, regardless of whether the communication occurs through a personal conversation, telephone call, letter, fax, or any other method of communication.

E. To “identify an oral communication” or the use of equivalent language shall mean to state with respect thereto:

1. The identification of each person or entity who participated in the oral communication and each person who was present at the time it was made;
2. The date and place where such oral communication was made or took place;
3. Whether the communication was made by face-to-face contact between the persons, by telephone or other means;
4. The content and substance of what each such persons said; and
5. The identification of each document pertaining to each such oral communication.

F. To “identify a transaction” shall mean:

1. To state the terms of the transaction;
2. To identify each person or entity to the transaction;
3. To state the date or dates upon which the transaction or transactions took

place;

4. To identify each and every document relating to the transaction; and
5. To identify each and every person who has knowledge of the terms of the transaction, or who has personal knowledge of any facts related to any parties' or entities' performance under the terms of the transactions.

G. To "identify a payment" shall mean to:

1. State the date the payment was issued.
2. State the date the payment was honored.
3. State the amount of such payment.
4. State what such payment was intended for.
5. State from which bank account such payment was issued from.
6. State any formal or informal agreements or understandings reached between the parties as to such payment.
7. State the terms of such payment.
8. Identify each person or entity to the payment.
9. Identify each and every person who has knowledge of the terms of the payment.
10. Identify any communications regarding such payment.

H. As used herein, "state" means:

1. To describe specifically all circumstances, events and conversations related to the subject matter of inquiry, including the date, place and names and

addresses of those persons present;

2. To list all witnesses having knowledge of the subject matter of inquiry, including the name, present address, position and relation to plaintiff or defendants, for each witnesses; and
3. To list all documents relating to the subject matter of inquiry or in lieu thereof to attach copies of all such documents.

I. As used herein, relating or referring means “bearing upon, concerning, addressing, respecting, discussing, mentioning, describing, reflecting, responding to, identifying, pertaining to, having to do with, criticizing, contradicting, evaluating, analyzing, setting forth, underlying, commenting on, forming the basis for, or otherwise being in any way relevant to the given subject.”

J. As used herein, “transaction” shall mean the act of transacting, dealing or conducting any business or commercial activity, negotiation, acts, agreements or a series of acts and agreements whereby an alteration of rights occurs. A “transaction” may involve the following activities including, but not limited to, selling, leasing, purchasing, assigning, borrowing, negotiating, guaranteeing, mortgaging, lending or forming legal entities or joint ventures.

K. Number: The use of the singular form of any word includes the plural and vice-versa.

O. “Payment” shall mean the performance of a duty, promise or obligation, or discharge of a debt or liability, by the delivery of money or other value by one party from one party from which it is due to another party to which it is due.

P. “Detail” means to describe and/or recount in detail and in all the particulars, with specific references to relevant dates, identifying persons involved, and actions taken, as applicable.

II. CLAIM OF PRIVILEGE

If you object to any Interrogatory or part thereof on the basis of a claim of attorney client or work product privilege, identify the privilege claimed as well as each document for which such privilege is claimed, and provide the following with respect to each such document: (1) the date of the document; (2) the name of its author, authors, or preparers identified by title and employment; (3) the name of each person who was sent or furnished with the document, or in any way received or viewed the document, or had custody of the document, together with an identification of each such person by title and employment; (4) a brief description of the document; (5) subject matter of the documents; (6) the number of pages of the documents; (7) the number of attachments or appendixes and a description of each; (8) identification of all persons to whom the documents was shown or explained; (9) the present custodial and the factual and legal grounds upon which the documents has been withheld; (10) a statement of the basis for the claim of privilege or assertion that it is otherwise immune or protected from discovery in sufficient detail so as to permit the Court to adjudicate the validity of the claim or assertion; and (11) the paragraph of this request to which the document relates. In the case of any document relating in any way to a meeting or any other conversation, all those present (whether or not they were participants) in the meeting or conversation are to be identified.

INTERROGATORIES

INTERROGATORY NO. 1: Identify and give the name, business address, residence address for purposes of service of a subpoena duces tecum, the employer and job title or position for each person who aided in answering these interrogatories by supplying information, or assisting in any way with the preparation of the answers to these interrogatories.

ANSWER:

INTERROGATORY NO. 2: Identify and give the name, business address, residence address for purposes of service of a subpoena duces tecum, the employer and job title or position for each person who is expected to be called to testify at the Confirmation Hearing in these Jointly Administered Chapter 11 Cases that is scheduled for October 27, 2011, at 1:30 p.m.

ANSWER:

INTERROGATORY NO. 3 : With respect to each person identified in response to Interrogatory No. 2, state with specificity each and every factual matter with respect to which he or she is expected to testify at the Confirmation Hearing in these Jointly Administered Chapter 11 Cases that is scheduled for October 27, 2011, at 1:30 p.m.

ANSWER:

INTERROGATORY NO. 4: Identify every person who has impeachment or rebuttal evidence and describe the evidence each person has. If you have enough information to anticipate the use of impeachment or rebuttal evidence or witnesses, you must provide that information.

ANSWER:

INTERROGATORY NO. 5: Describe and identify with specificity each and every factual basis upon which Farm Credit contends or may contend that the proposed surrender or conveyance to Farm Credit of Florida, ACA, of the Woodstock Industrial Site real property in the Joint Debtors' Second Amended Plan of Reorganization will not provide Farm Credit with the indubitable equivalent of the indebtedness owed to in the amount of approximately \$11,400,000.00.

ANSWER:

INTERROGATORY NO. 6: With respect to the real property referenced as the Woodstock Industrial Site which the Debtors propose to surrender or convey to Farm Credit of Florida, ACA, in the Joint Debtors' Second Amended Plan of Reorganization, please state the following:

- a. The highest and best use of this property.

ANSWER:

- b. The means by which this property can be sold, marketed or liquidated in order to realize the highest cash recovery for this property.

ANSWER:

INTERROGATORY NO. 7: State the names, addresses, telephone numbers and email addresses of each every person, apart from Farm Credit employees and its lawyer, with whom Farm Credit of Florida, ACA, has discussed any of the following matters in the past three years:

- a. The financial condition and/or creditworthiness of Roberts Land & Timber Investment Corp or Union Land & Timber Corp.

ANSWER:

- b. The financial condition and/or creditworthiness of Avery C. Roberts.

ANSWER:

- c. Interest of any such persons in purchasing any assets, land tracts or holdings of Roberts Land & Timber Investment Corp or Union Land & Timber Corp. serving as collateral for Farm Credit loans following foreclosure by Farm Credit of Florida, ACA.

ANSWER:

- d. Any of the real property owned by Roberts Land & Timber Investment Corp or Union Land & Timber Corp. serving as collateral for Farm Credit loans held by Farm Credit of Florida, ACA.

ANSWER:

FARM CREDIT OF FLORIDA, ACA

BY _____
Print Name: _____
Print Title: _____

STATE OF _____

COUNTY OF _____

BEFORE ME , the undersigned authority, personally appeared _____
who, after being duly sworn, deposes on oath and states that he has read the above and foregoing
Answers to Interrogatories and the same are true and correct to the best of his knowledge and belief.

SWORN TO AND SUBSCRIBED in my presence this _____ day of
_____, 2011, by _____, who is personally known to me or who has
provided _____ as identification.

Notary Stamp:

[signature]

[print or type name]

Notary Public

My Commission Expires: